

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARGARITO CASTELLON,) No. C 10-04392 JF (PR)
Petitioner,) ORDER OF DISMISSAL
vs.)
Warden,)
Respondent.)
_____) (Docket No. 2)

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 ON September 29, 2010. That same day, the clerk of the Court sent Petitioner a notification that his In Forma Pauperis application was insufficient because he had failed to submit a Certificate of Funds in Prisoner's Account and a copy of his prisoner trust account statement showing transactions for the last six months. (Docket No. 3.) Petitioner was warned that must file the missing documents or pay the full filing fee within thirty days or face dismissal of the action. (Id.) The deadline has since passed, and Petitioner has failed to file the missing documents to complete his In Forma Pauperis Application or pay the filing fee.

Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee. The clerk shall terminate any pending motions and close the file.

1 This order terminates Docket No. 2.
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3 IT IS SO ORDERED.

4 Dated: 1/27/11


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JEREMY FOGEL
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARGARITO CASTELLON,

Case Number: CV10-04392 JF

Petitioner,

CERTIFICATE OF SERVICE

v.

Warden,

Respondent.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 2/17/11, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Margarito Castellon F-34322
Mule Creek State Prison
P.O. Box 409000
Ione, CA 94560

Dated: 2/17/11

Richard W. Wieking, Clerk